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Counsels for SUN MICROSYSTEMS, INC.

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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<b>In re:</b>	:	<b>Chapter 11</b>
	:	
<b>DELPHI CORPORATION, et al.;</b>	:	<b>Case No. 05-44481</b>
	:	
	:	<b>(Jointly Administered)</b>
<b>Debtors.</b>	:	
	:	
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**SUN MICROSYSTEMS, INC.’S RESPONSE TO DEBTORS’  
FIFTEENTH OMNIBUS CLAIMS OBJECTION**

SUN MICROSYSTEMS, INC. (“Sun”) hereby responds (the “Response”), by and through its undersigned counsel, to the Fifteenth Omnibus Claims (the “Objection”) filed by Delphi Corporation (“Delphi”) and certain of its subsidiaries and affiliates, debtors and debtors-in-possession in the above-captioned cases (collectively, the “Debtors”) in the above-captioned jointly administered cases.

**SUMMARY OF OBJECTION AND RELIEF REQUESTED**

The Objection seeks entry of an order disallowing and expunging the Request for Administrative Expense (“Request”) asserted by Sun on the ground that the Debtors’ books and

records fail to disclose that any liability is owed to the Debtors and that claim was untimely filed pursuant to the Bar Date Order. Sun seeks entry of an order denying the Objection as it pertains to Sun's administrative expense claim on the grounds it holds a valid, enforceable claim against the Debtors as evidenced by its Request (including therewith supporting documentation) that was timely filed in this matter.

### **FACTUAL BACKGROUND**

The Response is based upon the following facts and circumstances:

1. The Debtors and Sun entered into the following five Support Agreements: Contracts No. NK20185059, NK20207149, NK20213916, MK20202584 and NK20190952 (collectively, the "Service Contracts").
2. As of April 16, 2007, the Debtors were indebted to Sun in an amount not less than \$114,168.03, which amount was due and owing to Sun.
3. On April 16, 2007, Sun filed a Request for Administrative Expense ("Request") asserting a claim in the amount of not less than \$114,168.03. A true and accurate copy of the Request is attached hereto as Exhibit "A" and is incorporated herein by reference as if fully set forth herein.
4. Since no administrative bar date has been set in this case, Sun's claim is timely. In fact, Paragraph 5 (c) of the Bar Date Order specifically states that administrative expense claims are not required to be filed.
5. As of this date, Sun's books and records indicate that the full amount of \$114,168.03 of the Request remains due and owing by the Debtors.

### **CONCLUSION**

Sun seeks entry of an order (1) denying the Objection to the extent that it seeks disallowance and expungement of the Request asserted by Sun, (2) allowing the Request in the amount of \$114,168.03, and (3) providing such other and further relief as appropriate under the

circumstances.

Dated: June 18, 2007

BIALSON, BERGEN & SCHWAB

/s/ Gaye N. Heck

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Dated: June 18, 2007

/s/ Martin P. Ochs

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